

**IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

STATE OF IOWA, et al.,

Petitioners,

v.

SECURITIES AND EXCHANGE
COMMISSION,

Respondent,

DISTRICT OF COLUMBIA, et al.,

Intervenors.

No. 24-1522

*Consolidated with
Nos. 24-1624, 24-1626,
24-1627, 24-1628, 24-1631,
24-1634, 24-1685, 24-2173*

JOINT MOTION FOR LEAVE TO FILE DEFERRED JOINT APPENDIX

Pursuant to Federal Rule of Appellate Procedure 30(c) and Eighth Circuit Rules 27A(a)(4) and 30A(b)(2), petitioners, respondent, and intervenors in the above-captioned consolidated cases respectfully jointly move for leave to file a deferred joint appendix to the briefs. The parties submit that this manner of proceeding is the most efficient way to proceed especially in light of the number of parties and the size of the administrative record. Deferring preparation of the appendix would better enable the parties to “confine the matter reproduced in the appendix to that which is essential to a determination of” these consolidated cases “[o]nce the argument on [all] sides is known.” Fed. R. App. P. 30(c) advi-

sory committee’s note (1967 amendment); see *ibid.* (1970 amendment) (“In cases involving lengthy records, permission to defer filing of the appendix should be freely granted” so that “the parties [can] include in the appendix only matter that the briefs show to be necessary for consideration by the judges.”). That approach is also consistent with this Court’s practice in other recent cases arising in a similar posture. See, e.g., Order, No. 24-1179 et al. (8th Cir. Apr. 20, 2024) (approving use of deferred appendix in consolidated petitions for review of agency action).

Accordingly, the parties respectfully request that the Court grant leave to file a deferred appendix and adopt the following deadlines in addition to those specified in the Court’s order dated May 20, 2024:

Deferred appendix due September 10, 2024.

Final briefs due September 17, 2024.

Dated: June 14, 2024

Respectfully submitted,

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I hereby certify that on June 14, 2024, an electronic copy of the foregoing motion was filed with the Clerk of Court for the United States Court of Appeals for the Eighth Circuit using the appellate CM/ECF system, and service will be accomplished on all registered counsel by the appellate CM/ECF system.

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I certify that this motion complies with the type-volume limitation of Federal Rule of Appellate Procedure 27(d)(2)(A) because, excluding the parts exempted under Federal Rule of Appellate Procedure 27(d)(a)(2)(B), it contains 256 words.

I certify that this motion complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type-style requirements of Federal Rule of Appellate Procedure 32(a)(6) because this motion has been prepared in a proportionally spaced typeface using Microsoft Word 2019 in 14-point New Century Schoolbook LT.

I further certify that this opposition has been scanned for viruses and is virus-free.

Dated: June 14, 2024

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